

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2017 NB 0244

IN THE MATTER OF THE LICENSE OF:)
)
KADEE KLAFKA, R.N.,)
)
LICENSE NO.: 28215853A)



FINAL ORDER

Jason M. King, DNP, R.N., board member of the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge (ALJ), held an administrative hearing on March 4, 2021, concerning Kadee Klafka's ("Petitioner") Petition to Withdraw Probation from her license as a Registered Nurse.


A copy of the ALJ's "Recommended Findings of Fact, Conclusions of Law and Order" is attached hereto as **Exhibit A** and made a part hereof.

Pursuant to Ind. Code § 4-21.5-3-29(c) the Board, at its meeting of April 15, 2021, votes 7 to 0 to affirm said Recommended Findings of Fact, Conclusions of Law and Order and adopt it as a final order in this proceeding.

The probation on Petitioner's license as a Registered Nurse is **WITHDRAWN**.

ISSUED this 15th day of April, 2021.

INDIANA STATE BOARD OF NURSING

By: 
Kim Cooper, M.S.N., R.N.
Board President
Indiana State Board of Nursing

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order" has been duly served upon:

Kadee Klafka
2613 West Chelsea Drive
Muncie, IN 47304
Service by U.S. Mail

Patricia Gibson
Attorney General's Office
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email

4-15-2021
Date

Lisa Chapman
Lisa Chapman, Litigation Coordinator

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-4236
Email: pla2@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2017 NB 0244

IN THE MATTER OF THE LICENSE OF:)
)
KADEE KLAFKA, R.N.,)
)
LICENSE NO.: 28215853A)



**RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

Jason M. King, D.N.P., R.N., of the Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9 to act as an administrative law judge ("ALJ"), held an administrative hearing on March 4, 2021, via Webex, concerning Kadee Klafka's ("Petitioner") Petition to Withdraw Probation from her license as a Registered Nurse.

Petitioner appeared in person and waived her right to counsel. Deputy Attorney General Patricia Gibson and Rebekah Hammond, Certified Legal Intern, of the Attorney General's Office represented the State of Indiana.

The ALJ, after considering the evidence presented and taking official notice of the file in this matter issues the following Recommended Findings of Fact, Conclusions of Law and Order:

RECOMMENDED FINDINGS OF FACT

1. Petitioner is a Registered Nurse ("R.N.") with license number 28215853A.
2. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3 *et seq.*
3. In January 2018, the Board suspended Petitioner's license because she diverted narcotics from her place of employment. She was in a prosecutorial deferral

program after having been arrested for Possession of a Narcotic, Theft, and Criminal Recklessness.

4. In September 2018, Petitioner requested that her license be reinstated.

5. On February 13, 2019, Petitioner's license was reinstated on indefinite probation after she presented evidence that her deferral program would end in December 2018. Petitioner regularly attends 12 step meetings and had been sober for over eighteen (18) months. Petitioner signed a two (2) year recovery monitoring program with ISNAP.

6. At the hearing, Petitioner testified that she complied with the terms of probation, including indefinite probation after one year of active nursing practice evaluated by a nursing supervisor and completes her RMA with ISNAP; keeping the Board apprised of his address and employment information; submit Signed Board Orders; submit Quarterly Employer Reports or self-reports if not employed; she could not work in an unsupervised setting or supervise others; maintain her RMA with ISNAP; and must immediately report any future arrests, discipline at work, licensing charges, or relapses to the Board in writing.

7. Petitioner's compliance with the terms of her probation constitutes evidence that she may practice with reasonable skill and safety to the public without probation or monitoring.

RECOMMENDED CONCLUSIONS OF LAW

1. "The board may withdraw or modify the probation . . . if it finds, after a hearing, that the deficiency that required disciplinary action has been remedied, or that changed circumstances warrant a modification of the order." Ind. Code § 25-1-9-9(b).

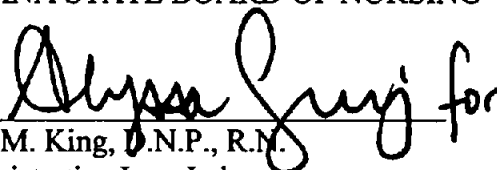
2. Petitioner's compliance with her probation constitutes evidence that the deficiency that required probation has been remedied.

RECOMMENDED ORDER

Based upon the foregoing Recommended Findings of Fact and Conclusions of Law, the ALJ recommends **WITHDRAWING** the **PROBATION** on Petitioner's license as a Registered Nurse.

SO ORDERED, this 30th day of March 2021.

ADMINISTRATIVE LAW JUDGE
INDIANA STATE BOARD OF NURSING

By: 
Jason M. King, D.N.P., R.N.
Administrative Law Judge
Indiana State Board of Nursing

**NOTICE OF RIGHT TO OBJECT TO RECOMMENDED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

Either party may object to the ALJ's Recommended Findings of Fact, Conclusions of Law and Order: but any objection must be filed with the Indiana State Board of Nursing, identifying the basis of the objection with reasonable particularity, no later than eighteen days from the ISSUANCE of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency offices are closed during regular business hours in which case the deadline would be the first day which is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency offices are closed during regular business hours. The ALJ's Recommended Findings of Fact, Conclusions of Law and Order is not the final order of the Indiana State Board of Nursing in this proceeding. In the absence of any objection, the Indiana State Board of Nursing may affirm the ALJ's Recommended Findings of Fact, Conclusions of Law and Order as its final order or will serve notice of its intention to review any issue related to the ALJ's Recommended Findings of Fact, Conclusions of Law and Order.

CERTIFICATE OF SERVICE

I certify that a copy of the "Recommended Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Kadee Klafka
2613 West Chelsea Drive
Muncie, IN 47304
Service by U.S. Mail

Patricia Gibson
Attorney General's Office
302 West Washington Street
IGCS – 5th Floor
Indianapolis, IN 46204
Service by Email

March 30, 2021
Date

Lisa Chapman
Lisa Chapman, Litigation Coordinator

Indiana State Board of Nursing
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2043
Fax: 317-233-4236
Email: pla2@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.